

EXHIBIT C

COPY

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

JOHNIE F. WEEMS, et al,)	
)	
Plaintiffs)	
)	
-VS-)	CA No. 00-11912-REK
)	Pages 1 - 42
CITIGROUP, INC., et al,)	
)	
Defendants)	

CASE MANAGEMENT CONFERENCE

BEFORE THE HONORABLE ROBERT E. KEETON
UNITED STATES DISTRICT JUDGE

United States District Court
1 Courthouse Way, Courtroom 3
Boston, Massachusetts
December 14, 2001, 1:00 p.m.

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1 you the scope and grounds of my ruling for whatever guidance
2 that may be with respect to further proceedings down the
3 line.

4 So for those reasons, Docket No. 93, Johnie F.
5 Weems, III's Motion for Summary Judgment on the Defendant's
6 Counterclaims, is denied.

7 Now, the next motion before me is Docket No. 135,
8 Plaintiff's Motion to Compel, and this is a motion to compel
9 defendant to produce 30(b)(6) witness for deposition on
10 October 17, 2001, and/or October 19, 2001 in New York. Now,
11 obviously that is moot.

12 MR. DOUGHERTY: And it was withdrawn, your Honor,
13 at the last --

14 THE COURT: Well, all right, I didn't realize it
15 was withdrawn, but I think you're right. All right, then I
16 will change -- simply recite that it has been withdrawn.

17 Next is Docket No. 151, which is impounded, so I
18 will speak carefully here in order not to intrude on the
19 impoundment. This is a motion for a protective order with
20 respect to a deposition; that is, barring a deposition. And
21 it seems to me that I should allow this one and explain that
22 this ruling is not a bar to a reasonable request supported by
23 showing of good cause for taking this deposition, if and when
24 circumstances develop that create a likelihood that evidence
25 would be obtained in or as a result of this deposition that

1 would not be available otherwise and would be material to an
2 issue this Court is deciding.

3 Now, I realize that defense counsel have asked me
4 to make a broader ruling than this, but I don't think I
5 should undertake to do that at this time. So that's what I
6 propose, and unless the defense counsel want to press the
7 matter farther, I'll make that ruling without hearing further
8 argument. All right, that's done.

9 Next is plaintiff's joint motion to compel a
10 deposition. Now, do I need to keep out of my published
11 document on this the name of this witness?

12 MR. DOUGHERTY: No.

13 THE COURT: All right, then I'll say Plaintiff's
14 Joint Motion to Compel the Deposition of Irwin Ettinger,
15 Doctor No. 153.

16 Now, I did not allow the date requested, which was
17 December 13, because I did not consider it appropriate to
18 rule before hearing oral argument, which was already
19 scheduled for today and it wasn't feasible to have it
20 scheduled earlier. So my proposed disposition of this, which
21 I will suggest to you and then hear counsel on both sides, is
22 that the deposition may be taken in New York in January,
23 2002, and leave it to counsel to confer in good-faith efforts
24 to agree on the date and terms.

25 Now, if that's acceptable to both sides, I'll so